

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF AGRICULTURE

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November 23, 2005

To the Members of the Alaska Agriculture Industry:

The November 2005 Annual Ag Expo began with a group of local 4-H kids clogging to a number of songs, including the new Alaska Grown Hobo Jim jingle. As the FFA portion of the presentation began, a video from the Alaska State Fair parade was shown which included footage of a float that had representation from the Alaska Farmers Union, Alaska Farm Bureau, Alaska 4-H as well as the Alaska Grown program. The synergy amongst all of these groups was obvious. We feel that synergy is part of what makes the Alaska Grown program an asset to Alaska's Agriculture industry. Unfortunately, that synergy is apparently not shared by all.

Recently, through both a mail-out and a presentation made by the Executive Director of the Mat-Su Chapter of the Farm Bureau (MSFB), the Division of Agriculture's (Division) exclusive ownership of the Alaska Grown logo and its management of the Alaska Grown program has been challenged. For those not familiar with this situation, some members of the MSFB have proposed that a new corporation be formed under the name "Alaska Grown, Inc.", to take over the Division's ownership of the logo and control the statewide marketing responsibilities of the Alaska Grown program.

Nearly 20 years ago, the Division first registered the Alaska Grown trademark with the State of Alaska, thereby obtaining exclusive ownership of the mark, and has maintained that registration ever since. During this time, the Division has managed the Alaska Grown program for the benefit of the entire state, and the program has become successful and well-known throughout the State of Alaska and elsewhere. Through a variety of outlets, the MSFB has been informing people that they are the rightful owner of the Alaska Grown logo and they have taken a variety of steps to attempt to take over the Alaska Grown logo, including attempting to obtain federal trademark registration of the Division's Alaska Grown logo under the MSFB name.

As owner of the Alaska Grown logo, the Division has authorized the MSFB and other farm bureau chapters and agriculture associations to promote the Alaska Grown logo through the sale of t-shirts with no associated fees or royalties. This has been a successful partnership and has certainly raised the recognition of the logo. The Division, in collaboration with the agriculture industry, has invested hundreds of thousands of dollars over the years to ensure that this logo is a market place beacon for the entire state, pointing to quality Alaska Grown products.

The Division has allowed the MSFB the opportunity to profit from its authorized sale of Alaska Grown apparel. The Division has, does and will continue to support fundraising efforts by non-profit associations of the Alaska agriculture industry through sale of t-shirts and other apparel

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

bearing the Alaska Grown logo. However, we will not permit a local take-over of this state-wide program.

The Division believes that the actions taken by the MSFB are direct infringements on the statewide Alaska Grown program and the Division's exclusive ownership of the Alaska Grown logo. As the rightful owner of the Alaska Grown logo and program since its inception 20 years ago, the Division is responsible to protect its trademark rights for future statewide benefits. To this end the Division has issued a cease and desist letter to the MSFB demanding it immediately cease all use of the Alaska Grown logo.

Sincerely,

A handwritten signature in black ink, reading "Larry DeVilbiss". The signature is written in a cursive, flowing style.

Larry DeVilbiss
Director